

REMARKS

Claims 26-31 and 38-52 are pending in this application. By way of the foregoing amendments, claims 26-28, 30, and 31 are amended and new claims 38-52 are added. Support for new claims 38-52 can be found in the original disclosure including the original claims and figures. For example, see paragraphs [0016], [0030], and [0039], as well as Figures 1 and 2. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Applicants gratefully acknowledge the courtesies extended by Examiners Dawson and Erez on February 2, 2005, and the non-Final Office Action issued on April 7, 2005 in view of the interview. As discussed in the interview, claim 26 is amended to obviate the 35 U.S.C. §112 rejection and to include the feature of forming a fluid passage with a volumetric capacity of about 1×10^{-6} ml to about 1.0 ml.

1. 35 USC § 112, Second Paragraph

The Office Action rejects claims 27, 28, 30, and 31 under 35 U.S.C. §112. Applicants submit that the above amendments obviate the grounds for the rejection, as discussed above. Withdrawal of the rejection is hereby requested.

2. 35 U.S.C. §103(a)

The Office Action rejects claims 26-31 under 35 U.S.C. §103(a) over Vogel et al (US Pat. No. 6,656,738, hereinafter "Vogel") in view of Kitahara et al (US Pat. No. 6,344,155, hereinafter "Kitahara"). The rejection is hereby traversed.

As discussed in the interview, Vogel fails to disclose or suggest the combination of features recited in claim 26. Applicants submit that Vogel fails to

disclose or suggest a method of manufacturing a fluid vaporizing device comprising the steps of: (a) forming a fluid passage in a body, the fluid passage having an inlet opening and an outlet opening, wherein the fluid passage has a volumetric capacity of about 1×10^{-6} ml to about 1.0 ml; and (b) providing a tubular heater by forming a thin resistive film inside said fluid passage such that the film lines all or part of the length of the passage.

Vogel discloses a heating element 82 comprising a film formed between a preconcentrator tube 18 and a sorbent material 28. See column 6, lines 34-37 and Figures 3A and 3B. Preferably this film may comprise a material, which when deposited, forms a resistive film. See column 6, lines 37-39 and Figures 3A and 3B.

However, Vogel is silent as to a volumetric capacity for the preconcentrator tube 18. Rather, the preconcentrator tube 18 of Vogel is sized to contain sorbent material 28 and to collect and detect chemicals. See abstract. It is noted that U.S. Patent No. 5,142,143 to Fite et al discloses a preconcentrator tube with sorbent therein for analyzing trace constituents in gases. See Fite et al, abstract. The preconcentrator tube of Fite et al had dimensions of 37 mm in length with a 1.5 mm inner diameter. See Fite et al, column 11, lines 15-26. Thus, preconcentrator tubes such as those disclosed in Fite et al have a volumetric capacity of about 260 ml. Neither Fite et al nor Vogel suggest the claimed volumetric capacity of about 1×10^{-6} ml to about 1.0 ml.

Kitahara fails to cure the deficiencies of Vogel, therefore the combination of Kitahara and Vogel fail to disclose or suggest the combination of features of claim 26. Kitahara discloses electrically conductive adhesive compositions and sheets, but does not disclose or suggest the combination of features of claim 26 including at

least the feature of a fluid passage with a volumetric capacity of about 1×10^{-6} ml to about 1.0 ml.

For at least the reasons set forth above, Applicants respectfully submit that claim 26 is allowable as the combination of references fails to disclose or suggest the combination of features of claim 26. Claims 27-31 depend from claim 26 and are allowable for at least the same reasons, as well as the combination of features of claims 27-31. Withdrawal of the rejection is respectfully requested.

3. New Claims

Applicants submit that new claims 38-52 recite combinations of features not disclosed or suggested by the applied references. As such, Applicants submit that all pending claims including the new claims are allowable.

4. Conclusion

On the basis of the foregoing, Applicants respectfully submit that claims 26-31 and 38-52 define patentable subject matter and should be passed to allowance. Allowance of this application is respectfully requested.

If the Examiner believes that a further discussion regarding this application would help advance prosecution, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,

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